

MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP BOARD HELD JANUARY 9, 2012, 7:30 p.m.

The meeting was called to order at 7:30 p.m. by Chairperson D. Dale Mohr.

Prayer for guidance by Brett Strick

Pledge of Allegiance to the Flag

Roll Call

Members present: D. Dale Mohr, Del South, Carol Scholma, Chad Tuttle, Richard VanderKlok, Jim Wierenga, Brett Strick

Also present: Daniel Carlton (Township Superintendent)

Absent: none

#120109-01 - Approval of agenda as presented for January 9, 2012

Moved by Richard VanderKlok, seconded by Carol Scholma, to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY.

#120109-02 - Communications, letters and reports: Received for information, to be filed:

- a. Finance Committee meetings minutes of [January 5, 2012](#)
- b. Code Enforcement Report for [December 2011](#)
- c. Planning Commission meeting minutes of [December 21, 2011](#)
- d. [Letter from the Michigan Liquor Control Commission](#) dated December 12, 2011 stating that the Township has 31 liquor licenses available based on population. Note that only one has been issued leaving 30 remaining available.
- e. Ottawa County Road Commission [January 2012 Newsletter](#)
- f. Fire Department Report for [December 2011](#)
- g. Zoning Board of Appeals meeting minutes for [December 28, 2011](#)
- h. [Letter](#) from Stan Roth regarding Senior Center

#120109-03 - Public Comments

No one in the audience made a public comment at this time.

#120109-04 - Consent agenda

Moved by Richard VanderKlok, seconded by Jim Wierenga, to grant the following:

- a. Approval of minutes of the regular board meeting held on [December 12, 2011](#).
- b. Approval of the regular monthly bills for [December 26, 2011](#) and [January 9, 2012](#) and [December utility bills](#).
- c. Approval of the [2012 bid from Advance Newspapers](#) for publishing legal notices from April 1, 2012 to March 31, 2013 in the amount of \$5.50 per column inch for electronically sent ads and 20% up-charge for hard copy, with the contract to be signed by the Clerk. (Note: The Finance Committee recommended approval.).
 1. The Advance only has one year contracts.

2. The Grand Rapids Press was contacted twice and did not submit a bid. (Their bid from last year was: Daily \$21.00 per column inch, Saturday \$22.40 per column inch, Sunday \$28.60 per column inch.)
 3. Current Advance rates for legal advertising from April 1, 2011 to March 31, 2012 are \$4.74 per column inch for electronically sent ads and 20% up-charge for hard copies.
 4. The new rate is a \$.75 increase or about a 15.8 % increase.
- d. Approval of [Policy 2012-01](#), Fund Balance Policy, as presented. (Note: The Finance Committee recommended approval).
- e. Approval of the liquor license (LIQ1001) for Sunnybrook Golf Club LLC, as requested in the [application](#). (Note: The initial liquor license was approved by the Township Board on December 27, 2010 and Sec. 4-4 in the Code of Ordinances regulates renewals as follows. Note: The Finance Committee recommended approval).

Sec. 4-4. Application times and procedures.

(f) Term of license: Approval of a license shall be for a period of one (1) year subject to annual renewal by the township board upon continued compliance with the regulations of this chapter as set forth below. Approval of a license shall be with the understanding that any necessary remodeling or new construction for the use of the license shall be commenced within six (6) months of the action of the township board and of the Michigan Liquor Control Commission approving such license, whichever last occurs. The township board may revoke a license if such remodeling or construction is not timely commenced and diligently pursued to completion.

(g) Renewals: On or before the first February 1 after the first full year of licensure, and on or before February 1 of each year thereafter, each licensee licensed under this chapter shall prepare and submit an application for renewal of his, her or its license upon forms to be provided by the township clerk. The township board shall review the application for renewal and may either approve the renewal or reject the renewal and file an objection to renewal or a request for revocation of a license with the Michigan Liquor Control Commission.

MOTION CARRIED UNANIMOUSLY.

#120109-05 – Second Reading and Adoption of Ordinance No. 2012-01, Michigan Motor Vehicle Code and Uniform Traffic Code

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2012-02)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on January 9, 2012, beginning at 7:30 p.m., Township Board Member Del South made a motion to adopt this Ordinance, which motion was seconded by Township Board Member Carol Scholma:

**ORDINANCE NO. 2012-01
MICHIGAN MOTOR VEHICLE CODE AND UNIFORM TRAFFIC CODE
AN ORDINANCE TO AMEND CHAPTER 54 OF THE**

**CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF GEORGETOWN,
MICHIGAN, TO ADOPT THE MICHIGAN VEHICLE CODE AND UNIFORM TRAFFIC
CODE BY REFERENCE**

THE CHARTER TOWNSHIP OF GEORGETOWN ORDAINS:

Section 1. Amendment. That Chapter 54 of the Code of Ordinances, Charter Township of Georgetown, Michigan, is hereby amended to read as follows in its entirety:

ARTICLE I. TRAFFIC CODE

Sec. 54-1. Michigan Vehicle Code adopted.

Pursuant to the provisions of the Michigan Charter Township Act, 1947 PA 359; MCLA 42.23; MSA 5.26(23), the Michigan Vehicle Code, Act No. 300 of the Public Acts of Michigan of 1949, as amended, MCL 257.1, *et seq.*, is adopted by reference, as if fully set forth herein.

Sec. 54-2. References in code.

References in the Michigan Vehicle Code to “local authorities” shall mean the Charter Township of Georgetown, Ottawa County, Michigan.

Sec. 54-3. Enforcement; sanctions.

(a) The Michigan Vehicle Code may be enforced by any police officer or other employee of the township authorized to enforce criminal ordinances or authorized to issue civil infractions.

(b) The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the township may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

(c) When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the township has been put in connection with the violation or infraction up to the entry of judgment.

Sec. 54-4. Uniform Traffic Code Adopted.

The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328 and made effective October 30, 2002 is adopted by reference, as if fully set forth herein.

Sec. 54-5. References in code.

References in the Uniform Traffic Code to “governmental unit” or “municipality” shall mean the Charter Township of Georgetown, Ottawa County, Michigan.

Sec. 54-6. Enforcement; sanctions.

(a) The Uniform Traffic Code may be enforced by any police officer or other employee of the township authorized to enforce criminal ordinances or authorized to issue civil infractions.

(b) The penalties provided by the Uniform Traffic Code are adopted by reference, provided, however, that the township may not enforce any provision of the Uniform Traffic Code for which the maximum period of imprisonment is greater than 93 days.

(c) When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the township has been put in connection with the violation or infraction up to the entry of judgment.

Section 2. Pending Proceedings. All proceedings pending and all rights and liabilities existing at the time this ordinance takes effect are saved and may be consummated or continued according to the law in force when they were commenced. No prosecution initiated prior to the effective date of this ordinance or initiated after the effective date of this ordinance for an offense committed prior to the effective date shall be affected by this ordinance.

Section 3. Publication. The Township Clerk shall publish a summary of this ordinance in the manner provided by law and shall at the same time publish a supplementary notice setting forth the purpose of the Michigan Vehicle Code and Uniform Traffic Code and the fact that a complete copy of the Michigan Vehicle Code and Uniform Traffic Code are available at the office of the Township Clerk for inspection by the public at all times.

Section 4. Effective Date. This ordinance shall become effective on the thirtieth day after publication after adoption. This ordinance was read for the first time on December 12, 2011, published on December 20, 2011, read for the second time and adopted by the Georgetown Charter Township Board on _____, published for the second time on _____, and effective thirty days from publication on _____.

A summary of the Michigan Vehicle Code and Uniform Traffic Code is as follows:

The Michigan Vehicle Code is an act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways and to provide penalties and sanctions for its violation.

The Uniform Traffic Code is an administrative rule promulgated by the Michigan Department of State Police to provide local law enforcement officers with the authority to locally enforce traffic laws; to provide for local traffic administration; to provide for the rights and duties of pedestrians; to regulate the operation of motorcycles, mopeds and toy vehicles; to provide for the rights and duties of drivers and others; to provide for the establishment and maintenance of traffic control devices; and to compel obedience to traffic regulations and provide sanctions for their violation.

Note: The Township Attorney recommended that the Township adopt the MMVC and UTC each year. The Township currently enforces the MMVC (which is readopted annually to include all revisions). With the new ordinance, this will continue; however, the Township will have the ability to enforce the recently amended version of the UTC (which previously largely duplicated the MMVC, but now has been amended such that only its unique supplemental provisions remain). The attorney said that the ordinance HAS to be readopted each year and could not contain wording to include amendments each year without readopting it.

Note: As recommended by the Finance Committee

Yeas: D. Dale Mohr, Del South, Carol Scholma, Chad Tuttle, Richard VanderKlok, Jim Wierenga, Brett Strick

Nays: none

Absent: none

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2012

By _____
Del South
Georgetown Charter Township Clerk

#120109-06 - Beautification/Streetscape/Branding Project Proposal

Moved by Jim Wierenga, seconded by Chad Tuttle, to approve the proposal from MC Smith.

Note: The Township Board requested a motion for Design+ at the November 28, 2011 meeting. The motion for Design+ was denied on December 12, 2011 in order to review proposals further.

Attachments: [Design+](#)

The MC Smith proposal was distributed to Board members and a paper copy is available in the Township Office

Moved by Richard VanderKlok, seconded by Carol Scholma, to postpone action until such time as a representative from each business has made a presentation of cost factors and outlines the steps in the process.

MOTION CARRIED UNANIMOUSLY.

#120109-07 - ZBA and Planning Commission Appointments

Moved by Carol Scholma, seconded by Richard VanderKlok, to approve appointing **Tim Boelema** to the ZBA with the term to expire 12/31/2014; to approve appointing **Kelly Walkotten** as the ZBA alternate with the term to expire 12/31/2014; and to approve appointing **Tom Doyle** to the Planning Commission to fill the vacant position with the term to expire 12/31/2012, all as recommended by the Supervisor.

Note: The Finance Committee recommended approval.

MOTION CARRIED UNANIMOUSLY.

#120109-08 - Ordinance No. 2012-02-Initiate Zoning Ordinance Amendment to Sign Ordinance

Moved by Richard VanderKlok, seconded by Chad Tuttle, to approve **initiating** a Zoning Ordinance amendment to Sec. 25.2(X) and Sec. 25.6(B)(4), Ordinance No. 2012-02, as follows:

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2012-02)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2012, beginning at 7:30 p.m., Township Board Member _____ made a motion to adopt this Ordinance, which motion was seconded by Township Board Member _____:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP ZONING
ORDINANCE, AS AMENDED, FOR SUBSECTION 25.2(X) and 25.6(B)(4) REGARDING SITE
IMPROVEMENT SIGNS IN THE COMMERCIAL ZONING DISTRICTS**

THE CHARTER TOWNSHIP OF GEORGETOWN (the "Township") ORDAINS:

ARTICLE 1. Subsection 25.2(X) and 25.6(B)(4) of the Georgetown Charter Township Zoning Ordinance, as amended, are hereby amended to read in its entirety as follows:

Sec. 25.2 DEFINITIONS.

For purposes of this Ordinance, the following words, terms, and phrases shall have the following meanings:

- (X) **Site improvement/landscaping sign.** A sign which identifies the owners, financiers, contractors, or architects of a site improvement/landscaping project not including construction requiring a building permit.

Sec. 25.6 SIGNS PERMITTED.

- (B) **Neighborhood, Community and Office Service Districts.** The following types of signs are permitted:
- (4) Site improvement/landscaping sign, one per site subject to the following restriction:
 - (a) The sign shall not exceed sixteen (16) square feet in area nor a height of six (6) feet.
 - (b) The sign shall be setback at least 10 feet from the road right-of-way or setback from the extra distance from the centerline of the road as required in Chapter 24 footnote (b).
 - (c) The sign shall not be displayed until a sign permit has been issued for the sign and the determination has been made by the Zoning administrator that the project qualifies as a site improvement/landscaped project with a value of no less than \$1,000.
 - (d) The sign shall not be displayed for a period to exceed sixty (60) days.
 - (e) Each parcel shall be allowed no more than two (2) such display periods per calendar year.

ARTICLE 2. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 3. Repeal. All previous ordinances in conflict with this Ordinance are hereby repealed; however, this Ordinance shall not be construed to repeal any provision in any applicable Zoning Ordinances, Building Codes or other ordinances of the Township that shall remain in full force and effect notwithstanding any land division approval hereunder.

ARTICLE 4. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 5. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:

Nays:

Absent:

MOTION CARRIED AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2011

By _____
Del South
Georgetown Charter Township Clerk

Note: The item was first placed on the December 12, 2011 agenda by the Finance Committee. The Township Board discussed and was in consensus to decrease the required project value in Sec. 25.6B4c to \$1,000 and to review a revised version of the sign ordinance at the next meeting.

Note: The Finance Committee recommended approval.

Attachment: [Sign ordinance language](#)

Yeas: D. Dale Mohr, Del South, Carol Scholma, Chad Tuttle, Richard VanderKlok, Jim Wierenga, Brett Strick

Nays: none

Absent: none

MOTION CARRIED UNANIMOUSLY.

#120109-09 - Resignation of Del South, Clerk

Moved by Richard VanderKlok, seconded by Chad Tuttle, to accept the [letter](#) of resignation from Del South, Clerk.

Note: The Finance Committee recommended approval.

MOTION CARRIED UNANIMOUSLY.

#120109-10 - Agreement with Jamestown Township

Moved by Del South, seconded by Jim Wierenga, to approve the [Jamestown agreement \(Exhibits\)](#) with Jamestown Township.

Note: The Utilities Committee recommended approval at the November 14, 2011 meeting.

Dan Carlton explained the content of the agreement.

MOTION CARRIED UNANIMOUSLY.

#120109-11 - Public Comment

No one in the audience made a public comment at this time.

#120109-12 - Discussion and General information

It was noted that there was a MTA meeting next week.

#120109-13 - Closed Session for Property Negotiations

Moved by Richard VanderKlok, seconded by Carol Scholma, to go to closed session for property negotiations.

Note: The Finance Committee recommended approval.

MOTION CARRIED UNANIMOUSLY.

#120109-14 - Open Session

Moved by Richard VanderKlok, seconded by Carol Scholma, to go to open session.

MOTION CARRIED UNANIMOUSLY.

#120109-15 – Add an Item to the Agenda

Moved by Richard VanderKlok, seconded by Chad Tuttle, to add an item to the agenda for property acquisition.

MOTION CARRIED UNANIMOUSLY.

#120109-16 – Property Acquisition

Moved by Chad Tuttle, seconded by Richard VanderKlok, to authorize the Township Superintendent to purchase property at 147 Baldwin for \$105,000 and closing costs.

MOTION CARRIED UNANIMOUSLY.

#120109-17 - Meeting Adjourned

Moved by Chad Tuttle, seconded by Richard VanderKlok, to adjourn the meeting at 8:30 p.m.

MOTION CARRIED UNANIMOUSLY.

D. Dale Mohr, Supervisor

Del South, Clerk